

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ROBERT ROGERS,

Plaintiff,

v.

A. K. SCRIBNER, et al.,

Defendants.

1:05-cv-00569 AWI YNP GSA (PC)

ORDER FINDING SERVICE OF COMPLAINT  
APPROPRIATE, AND FORWARDING  
SERVICE DOCUMENTS TO PLAINTIFF FOR  
COMPLETION AND RETURN WITHIN  
THIRTY DAYS

(Doc. 1)

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The Court screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915A, and found that it states cognizable claims against Defendants for violation of the Fourteenth Amendment. Fed. R. Civ. P. 8(a); Erickson v. Pardus, 127 S.Ct. 2197, 2200 (2007); Alvarez v. Hill, 518 F.3d 1152, 1157-58 (9th Cir. 2008). Accordingly, it is HEREBY ORDERED that:

1. Service is appropriate for the following defendants:

WALKER

MILLER

MONTGOMERY

ALVAREZ

SCRIBNER

STOCKMAN

ORTIZ

BRAVO

YAMAMOTO

VELLA

VILLAREAL

2. The Clerk of the Court shall send Plaintiff eleven USM-285 forms, eleven summonses, a Notice of Submission of Documents form, an instruction sheet and a copy of the complaint filed April 28, 2005.
3. Within **thirty (30) days** from the date of this order, Plaintiff shall complete the attached Notice of Submission of Documents and submit the completed Notice to the Court with the following documents:
  - a. Completed summons;
  - b. One completed USM-285 form for each defendant listed above; and
  - c. Twelve copies of the endorsed complaint filed April 28, 2005.
4. Plaintiff need not attempt service on Defendants and need not request waiver of service. Upon receipt of the above-described documents, the Court will direct the United States Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4 without payment of costs.
5. The failure to comply with this order will result in a recommendation that this action be dismissed.

IT IS SO ORDERED.

**Dated: July 28, 2009**

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE